

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VISTO CORPORATION,

No. C-04-0651 EMC

Plaintiff,

v.

**ORDER GRANTING PLAINTIFF'S  
MOTION TO SHORTEN TIME TO  
HEAR ITS MOTION TO CONTINUE  
(Docket No. 170)**

SPROQIT TECHNOLOGIES, INC.

Defendant.

Plaintiff Visto Corporation has asked the Court to hear a motion to continue the claim construction hearing, currently set for July 5, 2006, on shortened time. The Court instructed the parties to meet and confer to see if they could come to an agreement regarding the request. The parties could not agree on a briefing schedule or a hearing date; however, Defendant Sproqit Technologies, Inc. did not oppose shortened time in principal. Accordingly, the Court hereby GRANTS Visto's request for shortened time. The Court also notes that, without shortened time, Visto's motion to continue could not be heard prior to the claim construction hearing.

The Court further orders the following briefing schedule for the motion to continue: The opposition brief shall be filed no later than 4:00 p.m. on June 21, 2006, and the reply brief shall be filed no later than 4:00 p.m. on June 23, 2006. In addition, the opposition brief shall be no longer than 15 pages and the reply brief no longer than 10 pages. Absent further order from the Court, there shall be no hearing for the motion to continue (*i.e.*, the matter shall be submitted on the papers).

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Finally, the Court orders Visto to immediately e-file its proposed motion to continue, which was previously submitted as Exhibit I of the Gillette Declaration.

This order disposes of Docket No. 170.

IT IS SO ORDERED.

Dated: June 16, 2006

  
EDWARD M. CHEN  
United States Magistrate Judge